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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-40678-2020 (O&M)
Date of decision: 11.12.2020

Harpreet Singh @ Harry

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. G.C. Shahpuri, Advocate for the petitioner.

Mr. S.P.S. Tinna, Addl. A.G. Punjab.

ANIL KSHETARPAL, J. (ORAL)

This is second petition for grant of bail to the petitioner pending trial in a criminal case arising from FIR No.118 dated 02.08.2020 registered under Sections 22/25/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter to be referred as “the Act of 1985”) at Police Station Sadar Budhlada, District Mansa.

The first petition (CRM-M-33652-2020) was dismissed as withdrawn on 29.10.2020 .

As per case of the prosecution, the petitioner was found with 30 vials of WINCIREX containing liquid 100 ml each and 300 tablets of Carisoma.

As per the report received from Regional Forensic Science

Laboratory, Bathinda, Carisoma tablet contains “Carisprodol salt” which do not fall in the schedule of the Act of 1985. This fact is noticed by the learned Sessions Judge and also not disputed by learned counsel appearing for the State of Punjab.

Thus, the recovery of prohibited substance from the petitioner is 30 vials of WINCIREX containing liquid 100 ml each. It is stated to be a cough syrup containing “Codeine Phosphate”. The investigations have been completed. On submission of the final report, the charges have been framed on 25.11.2020. The conclusion of the trial is likely to take time.

Mr. S.P.S. Tinna, Addl. A.G. Punjab, on instructions from ASI Pavittar Singh, and on the basis of custody certificate, has stated that the petitioner is not involved in any other case under the Act of 1985.

The petitioner is 25 years of age. The conclusion of the trial is likely to take time.

Without commenting on the merits of the case and keeping in view the aforesaid facts, the petitioner is directed to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

Accordingly, the present petition is allowed.

11.12.2020

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No